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HAWAII BOATERS URGED TO USE CAUTION, BE EXTRA VIGILANT FOR HUMPBACK WHALES TO AVOID COLLISIONS

New signage will warn boaters of the collision hazard

With the peak of Hawaii's humpback whale season fast approaching, the Department of Land and Natural Resources (DLNR), the National Oceanic and Atmospheric Administration (NOAA), and the U.S. Coast Guard (USCG), are urging boaters to keep an extra lookout for humpback whales in near shore waters.

"It's important for boaters to be particularly cautious during whale season, for their own safety, as well for the whales' protection," said DLNR Chairperson Peter Young.

"These whales can weigh as much as 45 tons," said Naomi McIntosh, manager of NOAA's Hawaiian Islands Humpback Whale National Marine Sanctuary, which is managed in partnership with DLNR. "A collision with such a massive animal can have devastating consequences for all involved. By watching their speed, staying at the helm, and remaining extra vigilant, Hawaii's boaters can enjoy their time on the water and help us protect these animals."

The latest research by University of Hawaii professor Dr. Joe Mobley, funded in part by NOAA, indicates that at as many as 6,000 humpback whales will be in Hawaii this year during their "winter season," which usually runs from November through May. The

whales return home to Hawaii from their North Pacific feeding grounds each year to breed and nurse their young.

The conservation efforts of the sanctuary and DLNR complement those of the NOAA Fisheries Service Pacific Islands Regional Office (PIRO), which is tasked with implementing the federal Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) as they pertain to marine mammals and sea turtles in Hawaii.

“We’re happy to have such great partners joining us in our marine protected species conservation mission,” said Chris Yates, PIRO’s Marine Mammal Branch Chief. “We share the concern about vessel-whale collisions in Hawaii and urge boaters be extra mindful of the whales while they’re out on the water this time of year.”

NOAA’s Office of Law Enforcement (OLE) is supporting the protected species conservation mission and public safety by increasing patrols of the sanctuary during the whales’ winter season.

“The regulation that prohibits approaching humpback whales within 100 yards serves a dual purpose of increasing the margin of safety for both people and whales,” said Judith Fogarty, special agent in charge of the Pacific Islands Division of OLE. “While many people are unaware of the 100-yard approach regulation for humpback whales, there are others that willfully disregard the regulations. We want to both prevent violations and investigate those that occur. We educate people about the regulations and human-whale interactions, in addition to investigating violations and enforcing the law.”

OLE Special Agents and Officers will investigate reports of alleged humpback whale harassment, and other protected species interactions. NOAA OLE is the law enforcement arm for NOAA, and responsible for enforcing 37 acts related to the protection and conservation of marine resources.

Reports of suspected marine mammal or other protected species (marine mammals and sea turtles) violations may be reported to OLE’s hotline at 1-800-853-1964 from any location, or to 808-879-3699 within the state. Either number may be used, 24 hours a day, seven days a week.

USCG also works in collaboration with DLNR and NOAA in protecting Hawaii’s boaters and marine wildlife, such as humpback whales.

“Our patrols are working in Hawaiian waters to help ensure boater safety and compliance with the 100 yard approach regulation,” said Lt. Cmdr. Mark Young of the Coast Guard’s Fourteenth District Enforcement Branch. “When a collision or approach rule violation is reported, we’re here to respond on the water, and to assist NOAA OLE with investigations of matters under their jurisdiction.”

USCG also assists federal and state conservation agencies in responding to injured and entangled whales and other marine wildlife in Hawaii and across the nation.

The serious consequences of vessel-whale collisions have been made apparent over the past few years.

During the 2003-2004 season, a Maui fisherman was knocked unconscious after his boat collided with a whale near Wailuku, and a vessel-whale collision appears to have been a factor in the death of a boy aboard a whale-watch boat off Oahu.

At least two collisions occurred during last year's (2004-2005) whale season. A humpback calf appeared in Maui waters in March 2005 with deep, regularly spaced cuts in its back, a telltale sign of an encounter with a ship's propeller. The fate of the calf was not determined, but experts believed the severity of the injury was almost certainly fatal.

The other confirmed collision last year occurred when a ferry struck a whale on its way to Lanai from Lahaina, Maui in February 2005. This incident resulted in no significant damage or injuries to the vessel and passengers, and the whale was observed to swim away, apparently unharmed. This fortunate outcome was at least partially a result of the extra care the ferry operators take in traversing the whale dense waters between Maui and Lanai during whale season. The ferry operators spotted the whale moments before the collision and were able to slow the boat significantly before the collision occurred. Nevertheless, the incident also demonstrates that even with extra caution, collisions are still a danger.

To help remind boaters of the vessel-whale collision risk, sanctuary personnel are installing new signs at key harbors and boat ramps around the state. Signs installed last year are being replaced with a new design intended to better convey the collision hazard and the precautions boaters can take to reduce the chances of a collision.

Over the past year, members of the sanctuary's advisory council have continued to recommend enhanced outreach efforts to reduce vessel-whale collisions.

"We completely reworked our signs to be more effective," said DLNR's Jeff Walters, sanctuary co-manager. "Our new signs are intended to address the concerns we share with our Council. We've redesigned the signs to meet DLNR and American National Standards Institute (ANSI) design criteria for safety signage. The design is now consistent with other signage used around the state to warn of other ocean safety concerns, such as high surf and dangerous currents."

The new sign cautions boaters of the vessel-whale collision hazard during the November through May whale season, shows a pictograph of a vessel striking a whale, and lists three precautions boaters should take to help avoid collisions, i.e., (1) post a lookout to scan ahead for whales, (2) always stay at the helm so that action can be taken immediately upon seeing a whale in the vessel's path, and (3) slow down the vessel's speed so that boat operators have more time to react and the whale(s) may have a chance to detect the boat and get out of the way.

In addition to taking extra precautions to avoid vessel-whale collisions, Hawaii boaters and all ocean users are reminded that it is prohibited by federal law to approach any humpback whale closer than 100 yards in Hawaii, without special permission from NOAA Fisheries Service. If whales approach a vessel less than 100 yards before the vessel can safely veer away, vessel operators are recommended to use prudent seamanship to either stop the vessel until the whales move away, or slowly move the vessel away from the whale, as determined by sea condition, type of vessel, and other safety considerations.

An understanding of typical humpback whale surfacing behavior can also help boaters avoid collisions and close approaches. The sanctuary's science and rescue coordinator, David Mattila, points out that adult whales can stay down for as long as 30 minutes and then suddenly rise to the surface to breathe.

"What appears to be a clear path ahead might suddenly become occupied by a whale – if you're traveling fast, even the most maneuverable vessels can have a hard time veering off in time," said Matilla.

Humpback calves need to surface as often as every three minutes, and usually do not produce a large spout or "blow" to mark their presence. In addition, humpback calves and their mothers tend to show up more often in shallow areas, near shore (less than 200 feet deep and/or less than 1 mile from shore). Considering these factors, Mattila recommends that boaters traveling in Hawaii's shallow, near shore waters, use the highest levels of caution and vigilance.

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Suggested Image Caption: This sign, designed and produced with NOAA funding by the DLNR office of NOAA's Hawaiian Islands Humpback Whale National Marine Sanctuary, will be going up this month at small boat harbors and ramps around the state to help boaters avoid dangerous collisions with humpback whales.

Digital photos of the new sanctuary signage and other images related to vessel-whale collisions are available upon request.